STATUTORY INSTRUMENTS

1971 No. 1331

SOCIAL SECURITY

The Supplementary Benefit (Claims and Payments) Amendment Regulations 1971

Made - - - -	11*th August* 1971
Laid before Parliament	20*th August* 1971
Coming into Operation	20*th September* 1971

The Secretary of State for Social Services, in exercise of the powers conferred by paragraph 2(3) of Schedule 2 to the Ministry of Social Security Act 1966(**a**), as modified by regulation 2(2) of the Supplementary Benefit (Decimalisation of the Currency) Regulations 1970(**b**), and all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, interpretation and commencement

1. These regulations, which may be cited as the Supplementary Benefit (Claims and Payments) Amendment Regulations 1971, shall be read as one with the Supplementary Benefit (Claims and Payments) Regulations 1966(**c**), as amended (**d**) (hereinafter referred to as "the principal regulations"), and shall come into operation on 20th September 1971.

Regulation substituted for regulation 12 *of the principal regulations*

2. For regulation 12 of the principal regulations there shall be substituted the following regulation—

"12.—(1) For the purposes of paragraph 2(3) of Schedule 2 to the Act (aggregation of benefit and such other payments as may be prescribed by the Secretary of State), the other payments there referred to shall be payments under the National Insurance Act 1965(**e**) of unemployment benefit and the benefits mentioned in sub-paragraph (5) of this regulation (hereinafter referred to as "the relevant benefits") and the said paragraph 2(3) shall apply in the following circumstances—

(*a*) where the Secretary of State has arranged for the unemployment benefit and the benefit under the Act to be paid together whether in cash or by instrument of payment; or

(*b*) subject to the following provisions of this regulation, where the Secretary of State has arranged, or the Commission are satisfied that he will as soon as practicable arrange, for any of the relevant benefits to be so paid together with benefit under the Act.

(**a**) 1966 c. 20. (**b**) S.I. 1970/1784 (1970 III, p. 5793).
(**c**) S.I. 1966/1067 (1966 II, p. 2622).
(**d**) The relevant amending instruments are S.I. 1967/422, 1969/1169, 1970/1784 (1967 I, p. 1362; 1969 II, p. 3438; 1970 III, p. 5793).
(**e**) 1965 c. 51.

(2) Where any one or more of the relevant benefits and any benefit under the Act were being paid separately to a beneficiary immediately before the date on which sub-paragraph (*b*) of the foregoing paragraph would otherwise apply in his case, that sub-paragraph shall not apply unless or until the determination with respect to the amount of his benefit under the Act is reviewed.

(3) Where the said sub-paragraph (*b*) applies in the case of a beneficiary and by reason of an election by him or otherwise his relevant benefit or benefits and his benefit under the Act cease to be paid together, the said sub-paragraph shall continue to apply in his case unless or until the determination with respect to the amount of the benefit under the Act is reviewed.

(4) The said sub-paragraph (*b*) shall not apply to any case where the Commission are satisfied that there are exceptional circumstances which make its application inappropriate.

(5) For the purposes of this regulation "relevant benefits" means the following benefits under the National Insurance Act 1965—

(*a*) retirement pension;

(*b*) age addition;

(*c*) attendance allowance."

Regulations revoked

3. The Supplementary Benefit (Claims and Payments) Amendment Regulations 1967(**a**) are hereby revoked.

Signed by authority of the Secretary of State for Social Services.

Paul Dean,
Parliamentary Under Secretary of State,
Department of Health and Social Security.

11th August 1971.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Supplementary Benefit (Claims and Payments) Regulations 1966. They add age addition and attendance allowance to unemployment benefit and retirement pension as payments which are to be aggregated with benefit under the Ministry of Social Security Act 1966 for the purpose of rounding the latter to the nearest 5p. The Supplementary Benefit (Claims and Payments) Amendment Regulations 1967 are revoked.

(**a**) S.I. 1967/422 (1967 I, p. 1362).